

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR-12-00495 SBA
)	
Plaintiff,)	ORDER GRANTING STIPULATED
)	REQUEST TO SET CHANGE OF PLEA
v.)	AND SENTENCING ON JANUARY 16,
)	2013 AND TO EXCLUDE TIME UNDER
ERIK ANDRE MILES,)	THE SPEEDY TRIAL ACT
)	
Defendant.)	Date: October 31, 2012
)	Time: 9:30 a.m.
)	Court: Hon. Kandis A. Westmore
)	

The parties jointly requested that the October 31, 2012 status hearing as to defendant Erik Andre Miles be vacated and that this matter be set for change of plea and sentencing on January 16, 2013 at 10:00 a.m. The parties further requested that time be excluded under the Speedy Trial Act between September 28, 2012 and January 16, 2013 to allow time for the Court to consider the proposed plea agreement to be entered into by the defendant and the attorney for the government, and to allow time for the preparation of a Presentence Investigation Report by the United States Probation Office. Defendant agreed that the Court may review the pre-plea Presentence Investigation Report even though he has not yet pleaded guilty. Good cause appearing therefor, and pursuant to 18 U.S.C. § 3161(h)(1)(G),

1 **IT IS HEREBY ORDERED** that this matter as to defendant Erik Andre Miles is set for
2 change of plea and sentencing on January 16, 2013 at 10:00 a.m., and that time between
3 September 28, 2012 and January 16, 2013 is excluded under the Speedy Trial Act, and
4 specifically pursuant to 18 U.S.C. § 3161(h)(1)(G), for consideration by the Court of a proposed
5 plea agreement to be entered into by the defendant and the attorney for the government.

6 **IT IS FURTHER ORDERED** that the United States Probation Office shall prepare a
7 Presentence Investigation Report.

8
9 DATED: __10/1/12


HON. SAUNDRA BROWN ARMSTRONG
United States District Court Judge